

EXHIBIT H



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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TESLA, INC., a Delaware
Corporation,

Plaintiff,

vs.

Case No: 3:18-cv-00296-LRH-CBC

MARTIN TRIPP, an individual,

Defendant.

MARTIN TRIPP, an individual,

Counterclaimant,

vs.

TESLA, INC., a Delaware
Corporation,

Counterdefendant.

VIDEOTAPED DEPOSITION OF

JACOB NOCON

**TAKEN ON
FRIDAY, MAY 17, 2019
9:01 A.M.**

**COURTYARD CONFERENCE CENTER
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4320 EL CAMINO REAL
PALO ALTO, CALIFORNIA 94022**

VIDEOTAPED DEPOSITION OF

JACOB NOCON

TAKEN ON

FRIDAY, MAY 17, 2019

9:01 A.M.

THE VIDEOGRAPHER: We are on the record.

The time is 9:01. The date is May 17th, 2019.

This is the beginning of the deposition of
Jacob Nocon. The case caption is Tesla Inc. vs.
Martin Tripp and Martin Tripp vs. Tesla Inc.

Will counsel introduce yourselves and
state who you represent.

MS. LIBEU: Allison Libeu from Hueston
Hennigan, also with me is Stephen Richards from
Hueston Hennigan on behalf of Tesla and the witness.

MR. FISCHBACH: William Fischbach, Tiffany
& Bosco, on behalf of the defendant and
counterclaimant, Martin Tripp.

MR. UMHOFFER: Matthew Umhofer, personal
counsel for Mr. Nocon.

THE VIDEOGRAPHER: Thank you. The court
reporter will now swear in the witness.

JACOB NOCON, having been duly sworn to tell the
truth, the whole truth, and nothing but the truth,

1 testified and was examined as follows:

2 **THE VIDEOGRAPHER:** Thank you. Please
3 begin.

4 **EXAMINATION**

5 **BY MR. FISCHBACH:**

6 **Q. BY MR. FISCHBACH:** Good morning, sir.

7 Can I please have your full name for the
8 record?

9 A. Sure. It's Jacob Donnelly Nocon.

10 **Q. Mr. Nocon, sir, have you been deposed**
11 **before?**

12 A. Yes.

13 **Q. How many times?**

14 A. Twice.

15 **Q. What kind of cases were those?**

16 A. One was a Lemon Law case for a personal
17 vehicle that I owned. The second case was involving
18 my previous employer, Uber.

19 **Q. So the Lemon Law case, you had purchased a**
20 **vehicle and it wasn't working out the way you**
21 **thought --**

22 A. That's correct.

23 **Q. -- and I guess you went after the dealer,**
24 **I take it?**

25 A. Yeah, ultimately, Toyota, yes. But yeah,

1 reveal any evidence that Mr. Tripp was working for
2 any short sellers of Tesla stock?

3 A. Nothing that I can recall, no.

4 Q. Did your -- did the investigation uncover
5 any evidence that Mr. Tripp was coordinating with
6 short sellers of Tesla stock?

7 A. No, I don't believe that we uncovered
8 anything where he was directly communicating.

9 Q. Did the investigation uncover any evidence
10 that Mr. Tripp was coordinating with any Tesla
11 competitors?

12 A. No, not that I recall.

13 Q. Did you recover any evidence that Mr.
14 Tripp was paid for -- did the investigation uncover
15 any evidence that Mr. Tripp was paid for any
16 information that he provided to Linette Lopez?

17 A. No, not that I'm aware of, although during
18 his interview, Mr. Tripp made mention of reporters
19 allegedly paying for information, you know,
20 regarding Tesla -- Tesla data.

21 Q. Did Mr. Tripp state that he had received
22 payment from any reporters?

23 A. No, I don't believe that he said that he
24 received any payment.

25 (Exhibit 13 was marked for

1 **THE VIDEOGRAPHER:** Go ahead.

2 **MR. FISCHBACH:** Electronic copy with the
3 exhibits as well a synched video for us.

4 **THE VIDEOGRAPHER:** Great. And Mr.
5 Umhofer, did you want to order a copy of the
6 transcript?

7 **MR. UMHOFFER:** I'll just work with Tesla's
8 counsel.

9 **THE VIDEOGRAPHER:** Okay. And Mr.
10 Richards?

11 **MS. LIBEU:** He's with me.

12 **THE VIDEOGRAPHER:** He's with you. Okay,
13 great. I just -- okay. The time is 12:28, and we
14 are off the record.

15 **(Proceedings concluded at 12:28 p.m.)**

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